



Docket No.: ROWL-9955

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE  
*4/9  
1/23/02  
PT*  
AMENDMENT

Applicant: McClain Docket No.: ROWL-9955  
Serial No.: 09/578,001 Group Art Unit: 1755  
Filed: 05/24/00 Examiner: Wood, E.  
TITLE: METHOD AND  
APPARATUS FOR  
PRODUCING AN  
AQUEOUS PAINT  
COMPOSITION FROM A  
PLURALITY OF PREMIXED  
COMPOSITIONS

Box NO FEE  
The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED  
JAN 22 2002  
1C 1700

Sir:

In the Restriction Requirement mailed September 21, 2001, the Examiner stated that the application contains claims directed to three distinct species of inventions. The Examiner stated that the first species, claims 1-31, 42-54 are drawn to a method for producing paint composition. The Examiner noted that claims 49 and 50 refer to "apparatus" but they have been grouped with the method claims because they depend from method claims. The Examiner stated that the second species, claims 32-41, are drawn to an apparatus. And, the Examiner stated that the third species, claims 55-60, are drawn to a

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C., 20231, ON: October 18, 2001

SIGNED: Tammy White  
Tammy White

control program. The Examiner required the applicant to elect a single disclosed species for prosecution on the merits.

Applicants hereby elect for prosecution on the merits the first species, claims 1-31, 42-54.

Applicants request that claims 32-41 and 55-60 be canceled in light of a divisional application.

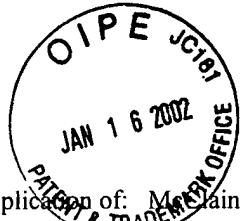
If any fees, including extension of time fees, are due as a result of this response, please charge Deposit Account No. 19-0513. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

By   
Albert L. Schmeiser  
Reg. No. 30,681

Date: October 18, 2001

**SCHMEISER, OLSEN & WATTS LLP**  
18 East University Drive, #101  
Mesa, AZ 85201  
(480) 655-0073



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No.: ROWL-9955

## Response Transmittal

1755

In re application of: **Martin**  
Serial No.: 09/578,001

Filed: 05/24/00

For: **METHOD AND APPARATUS FOR PRODUCING AN  
AQUEOUS PAINT COMPOSITION FROM A  
PLURALITY OF PREMIXED COMPOSITIONS**Box No Fee  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

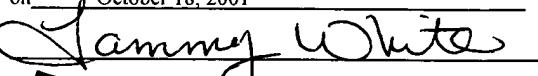
Transmitted herewith for filing in the above-identified Application is a:

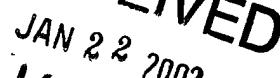
**1. Response.** No additional fee is required. The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	Small Entity
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL 44	MINUS	60	= 0
INDEPENDENT 4	MINUS	6	=
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME			
RATE	ADDITIONAL FEE		
x \$ 9.00=	\$ .00		
x \$42.00=	\$ .00		
\$ 55.00	\$ .00		
		\$ .00	
		Total	

 CERTIFICATION OF FACSIMILE TRANSMISSION

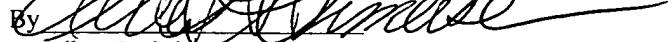
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

 CERTIFICATE OF MAILINGI hereby certify that I am depositing the enclosed or attached correspondence with the United States Postal Service as first class mail in an envelope addressed to Box No Fee, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 18, 2001
  
 Tammy White

  
 JAN 22 2002  
 10 1700
 A check in the amount of \_\_\_\_\_ to cover fee is enclosed. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0513. A duplicate copy of this sheet is enclosed. Any additional filing fees required under 37 C.F.R. §1.16. Any patent application processing fees under 37 C.F.R. §1.17.

Date: October 18, 2001

Respectfully submitted,

  
 By   
 Albert L. Schmeiser  
 Registration No.: 30,681
Schmeiser, Olsen & Watts LLP  
18 East University Drive, #101  
Mesa, Arizona 85201  
Tel: (480) 655-0073